

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael H. Jones Art Unit : 1644  
Serial No. : 10/702,148 Examiner : Yunsoo Kim  
Filed : November 5, 2003 Conf. No. : 7576  
Title : TRANSCRIPTIONAL REGULATOR

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated April 17, 2006, finally rejecting claims 25 and 30-39.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 2 months to and including September 18, 2006 (September 17 being a Sunday) was filed on September 15, 2006.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for a third month to and including October 17, 2006, is enclosed.

The fees in the amount of \$500 for the Notice of Appeal are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 14875-042004.

Respectfully submitted,

Date: Oct. 13 2006

Janis K. Fraser, Ph.D., N.D.  
Reg. No. 34,819

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906